

Mainers across our State ushered in this week of solemn events and wreath-laying ceremonies sponsored by Wreaths Across America, the culmination of which will be the delivery of as many as 16,000 wreaths for placement at Arlington National Cemetery on December 12 as well as observances in more than 400 participating locations nationwide, including 24 overseas veterans cemeteries. Indeed, I could not have been more gratified to join Senator COLLINS in introducing legislation, designating December 12, 2009, as "Wreaths Across America Day" which passed the Senate unanimously on the first of this month.

What an inexpressible source of pride it is that tomorrow, on the morning of the 12th, a convoy of Mainers is scheduled to arrive at Arlington National Cemetery to lay Maine-made balsam wreaths at the grave sites of our Nation's fallen heroes. The Patriot Guard Riders will continue their tradition of escorting tractor-trailers filled with wreaths donated by Worcester Wreath Company in Harrington, ME, to Arlington National Cemetery. On a personal note, I well recall the Worcester's initiating the Arlington Wreath Project in December of 1992, when Morrill called my office to ask if he could place his excess wreaths on the graves at Arlington National Cemetery. I never could have imagined that what occurred then would someday evolve into a nationwide expression of unflinching gratitude to our troops.

The enduring legacy of our bravest and finest for whom service above self and country above self-interest is woven into the fabric of our greatness is a powerful reminder that freedom is not free, especially as the indelible memories of those heroes who, in the immortal words of President Lincoln "gave the last full measure of devotion," are etched forever in our minds and upon our hearts. We also owe an enormous debt of gratitude to the men and women extraordinary enough to wear the uniform who are currently serving in harm's way and placing their lives on the line on our behalf, especially in Iraq and Afghanistan. Indeed, what a fitting remembrance this annual gesture of reverence and gratefulness by Wreaths Across America represents, especially during this joyous season of giving, for those who have bequeathed this great land so much, and for whom we are truly grateful.

TRIBUTE TO FIRST SERGEANT BRADLEY G. SIMMONS

Mr. BROWN. Mr. President, I rise to honor 1stSgt Bradley G. Simmons, U.S. Marine Corps, for his year of service to the U.S. Senate and for his continuing service to our Nation and the Marine Corps.

For the past year, 1stSgt Bradley Simmons has worked in my office and served the people of Ohio as the first enlisted Marine fellow in the U.S. Senate.

Before joining the Senate, 1stSgt Bradley Simmons served in Kuwait with the 3rd Assault Amphibian Battalion. He also participated in the initial attack and continuing operations in Iraq.

His heroic service as an AAV section leader during that time earned him the Navy and Marine Corps Commendation Medal and a combat distinguishing device for valor.

1stSgt Bradley Simmons' strength, dedication, and firsthand experience overseas made him an invaluable resource for my staff and our Nation's service members and veterans.

Understanding of the difficult transition for returning service members and veterans, 1stSgt Bradley Simmons reached out to help them and their families in tangible ways.

From helping Ohio veterans with their VA claims; to assisting a wounded service member during rehabilitation; to meeting and speaking with the families whose loved ones are overseas, 1stSgt Bradley Simmons demonstrated an unequivocal commitment to his fellow service members.

His tireless work on the Visions Scholars Act of 2009 will help ensure that veterans suffering from eye injuries would not also suffer from the current nationwide shortage of visions specialists at the VA.

The Vision Scholars Act of 2009 passed the Senate last month with great assistance from Sergeant Simmons.

But 1stSgt Bradley Simmons has been more than a trusted adviser.

He's been a teacher and a friend. As First Sergeant Simmons likes to say, he has been running a full-scale Marine Corps familiarization program in my office for the past year.

With a story-telling talent that left you laughing, with a moment of contemplation on the life of a marine, or with a little PT encouragement for the deskbound, First Sergeant Simmons made us appreciate the leadership qualities that are found throughout the ranks of the Marine Corps, but especially in him.

From interns in my office to constituents in the State, to all of my staff in Ohio and Washington, he succeeded in educating us about the honor, tradition, and sacrifices readily made by our Marines and our military forces.

He made us better at our jobs and better citizens in our communities.

He accompanied me to Walter Reed to visit troops recovering from combat injuries and later assisted in helping a few of them transition to life as a civilian, or on active duty in the guard or reserve.

He invited my staff to the Pentagon to a welcome home those recently injured in Iraq and Afghanistan.

During this past year, First Sergeant Simmons taught us about the determination and commitment of the men and women who give honor to the Marine Corps.

A lot has changed in the past year for our office, and for 1stSgt Bradley Simmons as well. First Sergeant Simmons came to my office as a gunnery sergeant.

At his promotion ceremony a few weeks back, his superiors explained that the Marine Corps does not base promotion in rank on previous performance and accomplishment.

Instead, promotion is based on a candidate's innate capability and potential to do the job well and the rank of first sergeant justice.

Like his superiors, I am as confident that he will succeed in anything he attempts and that he demonstrates the courage and commitment that we recognize in him.

His humility belies his dedicated service to our Nation. It provides great comfort knowing that hundreds of marines will have the opportunity to work, live, learn, and serve with First Sergeant Simmons.

He is a testament to the Marines, to our Nation, to his family, and to his home State of Kansas.

And to Karen, his wife, thank you for your support and sacrifice while your husband serves this Nation. I enjoyed meeting you and I know that 1stSgt Bradley Simmons can do what he does because of your love and support.

After having the privilege of working with First Sergeant Simmons over the past year and seeing the lasting mark he has left on my office, I am honored to have someone of his caliber and commitment representing our Nation.

Thank you, 1stSgt Bradley G. Simmons, for your distinguished service to the people of Ohio and for your continued commitment to protecting our Nation and the prosperity of all Americans.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mrs. Neiman, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 10:47 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office".

At 3:00 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following joint resolution, in which it requests the concurrence of the Senate:

H.J. Res. 62. Joint resolution appointing the day for the convening of the second session of the One Hundred Eleventh Congress.

The message further announced that pursuant to section 1238(b)(3) of the Floyd D. Spence National Defense Authorization Act for Fiscal Year 2001 (22 U.S.C. 7002), as amended by division P of the Consolidated Appropriations Resolution, 2003 (22 U.S.C. 6901), the Minority Leader re-appoints the following members on the part of the House of Representatives to the United States-China Economic and Security Review Commission, effective January 1, 2010: Mr. Peter T.R. Brookes of Virginia and Mr. Daniel M. Slane of Ohio.

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 4017. An act to designate the facility of the United States Postal Service located at 43 Maple Avenue in Shrewsbury, Massachusetts, as the "Ann Marie Blute Post Office"; to the Committee on Homeland Security and Governmental Affairs.

MEASURES PLACED ON THE CALENDAR

The following bill was read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1506. An act to provide that claims of the United States to certain documents relating to Franklin Delano Roosevelt shall be treated as waived and relinquished in certain circumstances.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3981. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Veterinary Accreditation Program" (Docket No. APHIS-2006-0093) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3982. A communication from the Congressional Review Coordinator, Animal and Plant Health Inspection Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Swine Health Protection; Feeding of Processed Product to Swine" (Docket No. APHIS-2008-0120) received in the Office of the President of the Senate on December 10, 2009; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3983. A communication from the Chairman, Board of Governors of the Federal Reserve System, transmitting, pursuant to law, a report relative to the Buy American Act; to the Committee on Banking, Housing, and Urban Affairs.

EC-3984. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "New Qualified Plug-in Electric Drive Motor Vehicle Credit" (Notice No. 2009-89) received in the Office of the President of the Senate on December 4, 2009; to the Committee on Finance.

EC-3985. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the design and manufacture of propellant actuated devices for F-15J Aircraft; to the Committee on Foreign Relations.

EC-3986. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Mexico relative to the design and manufacture of Military Flexible Printed Circuit Board Assemblies (Flex Circuits) in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-3987. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed amendment to a manufacturing license agreement for the export of defense articles, including, technical data, and defense services to Japan relative to the design, manufacture, and repair of the Japan PATRIOT Product Improvement Program in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-3988. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Israel relative to the design, manufacture, and delivery of tactical computers and data processing and communications systems in the amount of \$50,000,000 or more; to the Committee on Foreign Relations.

EC-3989. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to Canada to support the sale of C-130J Hercules Aircraft in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3990. A communication from the Assistant Secretary, Bureau of Legislative Affairs, Department of State, transmitting, pursuant to the Arms Export Control Act, the certification of a proposed technical assistance agreement for the export of defense articles, including, technical data, and defense services to the United Kingdom relative to the design and manufacture of Wing Trailing Edge Panels and Flap Hinge Fairings for the C-17 Globemaster III Transport Aircraft in the amount of \$100,000,000 or more; to the Committee on Foreign Relations.

EC-3991. A communication from the Secretary, Department of Agriculture, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2009, through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3992. A communication from the Acting Chairman, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Semiannual Report of the Inspector General for the period from April 1, 2009, through September 30, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3993. A communication from the Assistant Deputy Associate Administrator for Acquisition Policy, General Services Administration, Department of Defense and National Aeronautics and Space Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2005-38" received in the Office of the President of the Senate on December 9, 2009; to the Committee on Homeland Security and Governmental Affairs.

EC-3994. A communication from the Chief Human Capital Officer, Small Business Administration, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Counsel for Advocacy, received in the Office of the President of the Senate on December 8, 2009; to the Committee on Small Business and Entrepreneurship.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LEAHY, from the Committee on the Judiciary, with an amendment in the nature of a substitute:

S. 448. A bill to maintain the free flow of information to the public by providing conditions for the federally compelled disclosure of information by certain persons connected with the news media.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CARPER (for himself, Mr. AL-EXANDER, Mr. BYRD, Mr. LIEBERMAN, Mr. VOINOVICH, Mr. WARNER, and Mr. WEBB):

S. 2872. A bill to authorize appropriations for the National Historical Publications and Records Commission through fiscal year 2014, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BEGICH:

S. 2873. A bill to amend the Internal Revenue Code of 1986 to deny the deduction for direct to consumer advertising expenses for prescription pharmaceuticals and to provide a deduction for fees paid for the participation of children in certain organizations which promote physical activity; to the Committee on Finance.

By Ms. LANDRIEU:

S. 2874. A bill to designate the facility of the United States Postal Service located at 2000 Louisiana Avenue in New Orleans, Louisiana, as the "Ray Rondono, Sr. Post Office Building"; to the Committee on Homeland Security and Governmental Affairs.

By Mr. FEINGOLD:

S. 2875. A bill to establish the Commission on Measures of Household Economic Security to conduct a study and submit a report containing recommendations to establish and report economic statistics that reflect the economic status and well-being of American households; to the Committee on Homeland Security and Governmental Affairs.

By Ms. LANDRIEU:

S. 2876. A bill to amend the Internal Revenue Code of 1986 to clarify the capital gain